

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2003

Application or Docket Number

10/730861

12-9-03 CLAIMS AS FILED - PART I

(Column 1)	(Column 2)	(Column 3)
TOTAL CLAIMS	48	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	48 minus 20 =	28
INDEPENDENT CLAIMS	5 minus 3 =	2
MULTIPLE DEPENDENT CLAIMS PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

7/26/05 CLAIMS AS AMENDED - PART II

(Column 1)	(Column 2)	(Column 3)
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
30	48	
2	5	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>		

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	385.00
XS 9=	
X43=	

RATE	FEE
BASIC FEE	770.00
XS18=	
X86=	

TOTAL 430.00

OR TOTAL

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
XS 9=	25
X43=	175
	180
	145

RATE	ADDITIONAL FEE
XS18=	50
X86=	160
	340
	290

TOTAL ADDIT. FEE

OR TOTAL ADDIT. FEE

(Column 1)	(Column 2)	(Column 3)
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
26	48	0
2	5	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>		

148 (49) 53 55 60 61 (7) 78

RATE	ADDITIONAL FEE
XS 9=	0
X43=	0
	145
TOTAL ADDIT. FEE	0

RATE	ADDITIONAL FEE
XS16=	
X65=	
	290
TOTAL ADDIT. FEE	

(Column 1)	(Column 2)	(Column 3)
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>		

RATE	ADDITIONAL FEE
XS 9=	
X43=	
	145
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS16=	
X66=	
	290
TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

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Docket No. RADNT-035C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hammack, et al.)

Art Unit: 3739

Serial No.: 10/730,861)

Examiner: Johnson III, H.

Filed: December 9, 2003)

For: Catheter System with On-Board
Temperature Probe)Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATE OF FACSIMILE
TRANSMISSION**I hereby certify that this correspondence is
being transmitted by facsimile to the United
States Patent and Trademark Office at
(877)273-8900 on January 30, 2006.

By:

Robert D. Buyan, Reg. No. 32,460

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JAN 30 2006

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Sir:

In response to the Office Action dated August 30, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

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Docket No. RADNT-035C

Conclusion

The foregoing amendment raises no new issues and does not require any further searching. Furthermore, this amendment decreases the number of claims pending in the application. Accordingly, entry of this amendment on an after final basis is believed to be in order and is respectfully requested.

All remaining claims 49-52, 54, 56-59 and 62-78 are believed to be in condition for allowance. Issuance of a Notice of Allowance prior to the six month response deadline of February 28, 2006 is earnestly solicited.

A two (2) month extension is hereby requested under 37 C.F.R. 1.136. The Director is hereby authorized to deduct the small entity fee for this extension, as well as the fee for the accompanying Terminal Disclaimer and any other fees due in connection with this filing, from Deposit Account No. 50-0878.

Respectfully submitted,
STOUT, UXA, BUYAN & MULLINS, LLP



Robert D. Buyan, Reg. No. 32,460

Date: January 30, 2006

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on January 30, 2006.By: 

Robert D. Buyan, Reg. No. 32,460

TERMINAL DISCLAIMER ACCOMPANYING DECLARATION
UNDER 37 C.F.R. § 1.130Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Radiant Medical, Inc., the 100% owner of the above-captioned United States Patent Application Serial No. 10/730,861 hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U. S. C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior United States Patent No. 6,679,906.

Radiant Medical, Inc. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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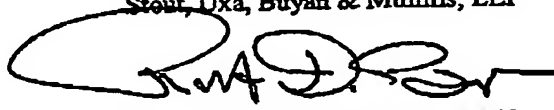
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 15410 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The Director is authorized to deduct the small entity fee for this Terminal Disclaimer from Deposit Account 50-0878.

Respectfully submitted,

Stout, Uxa, Buyan & Mullins, LLP

Date: January 30, 2006



Robert D. Buyan, Reg. No. 32,460

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01 FC:2252	225.00 DA
02 FC:2814	65.00 DA